



Attorney's Docket No. 059502-0272590

Client Reference:

GP-2154
lfw
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Benson Houglan, David H.
Hill, Kevin Kuhns, James W. Frederick and Ken
Johnson

Confirmation No: 7233

Application No.: 09/854,186

Group No.: 2154

Filed: May 11, 2001

Examiner:

For: XML-ENABLED CONTROL AND MONITORING METHOD AND APPARATUS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ATTENTION: Director, Group 2154

REQUEST FOR WITHDRAWAL AS ATTORNEY (37 C.F.R. § 10.40(c))

REQUEST FOR PERMISSION TO WITHDRAW

1. I, an attorney signing below, respectfully request permission to withdraw from all further responsibility in this case, in accordance with 37 C.F.R. § 1.36.

LAST KNOWN ADDRESS OF CLIENT

2. The last known mailing address of the assignee of the entire interest is:

OPTO 22
43044 Business Park Drive
Temecula, CA 92590

BASIS FOR WITHDRAWAL REQUEST

3. The basis for the request for withdrawal is 37 C.F.R. 10.40(c) § (1), (5), and (6).

ALLOWANCE OF TIME FOR CLIENT TO ACT

4. Status of this Application

A. Response due

(i) There is an outstanding term for response that is set to expire on November 13, 2004. The above term is extendible under 37 C.F.R. § 1.136(a), until February 13, 2005 and the fees for such extension are not being submitted herewith.

B. Time Left for Response

Therefore, the amount of time for response, including extension under 37 C.F.R. § 1.136(a), is at least four and one-half (4-1/2) months.

NOTIFICATION OF CLIENT

5. In accordance with 37 C.F.R. § 10.40(a), a copy of this request, including attachments, is being sent to the client.

NUMBER OF COPIES OF REQUEST

6. This request is enclosed in triplicate.
7. Related Applications for Which Withdrawal is Requested

Withdrawal also is (has been) requested in the following related applications of the assignee.

<u>Application Number</u>	<u>Group</u>	<u>Status of Withdrawal request</u>
09/956,452	2154	Pending
09/965,520	2182	Pending
10/032,113	2644	Pending

SIGNATURE OF WITHDRAWING PRACTITIONER

8. Signature(s) of the attorney(s) withdrawing (or signature of an authorized attorney on behalf of an attorney withdrawing)



Signature of withdrawing practitioner

Suzanne L. Biggs
Reg. No.: 30,158

PILLSBURY WINTHROP LLP
11682 El Camino Real
Suite 200
San Diego, CA 92130-2092
(619) 234-5000
Customer Number: 27500

Also signing as authorized agent for each of the following:

George M. Sirilla	18221	Jeffrey W. Guise	34613	Henry J. Daley	42459
Richard H. Zaitlen	27248	Jeffrey D. Karceski	35914	Robert Bedgood	43488
Jonathan E. Jobe, Jr.	28429	Steven J. Moore	35959	Richard L. Blaylock	43503
Glenn J. Perry	28458	Paul L. Sharer	36004	Victor Castellucci	43535
Dale S. Lazar	28872	Jack S. Barufka	37087	James Sze	43943
Suzanne L. Biggs	30158	F.T. Alexandra Mahaney	37668	Michael Hostettler	47664
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David H. Jaffer	32243	Robert J. Walters	40862	Stefanie S. Valentini	52311
David A. Jakopin	32995	Adam R. Hess	41835	Michelle Mehok	53314

CERTIFICATION UNDER 37 C.F.R. §§ 1.8 and/or 1.10*

(When using Express Mail, the Express Mail label number is *mandatory*; Express Mail certification is *optional*.)

I hereby certify that, on the date shown below, this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: October 4, 2004

Signature

PATRICIA MUNOZ

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.



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